



DEC 22 2004



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PATENT TRADEMARK OFFICE

Attorney's Office No: 20341-75147  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lu Hao Leng

Confirmation No.: 6279

Serial No.: 10/824,215

Filed: April 14, 2004

For: TABLE TOP

**PETITION UNDER 37 CFR 1.47(b)  
AND REQUEST FOR EXTENSION OF TIME**

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

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In response to the Notice to File Missing Parts... dated June 25, 2004, applicant requests waiver of the requirement for the inventor to sign the declaration under 37 CFR 1.64 and/or 1.47(b).

Signed Declaration.

A declaration signed on behalf of sole inventor Lu Hao Leng is enclosed. The undersigned hereby states that he is authorized to sign the accompanying declaration on behalf of Cosco Management, Inc.

Relationship of the Person Signing the Declaration to the Inventor.

The person signing the declaration (Richard B. Lazarus, Reg. No. 48,215) relationship with Mr. Leng is as follows: Mr. Leng is employed (and was employed at the time of the invention) with New-Tec Integration Company, Ltd. (NTICO). NTICO has assigned all of its rights, title and interest in patent applications in North American countries to Cosco (see attachment A). Cosco has authorized the undersigned to sign the declaration in this application on Cosco's behalf and on behalf of the inventor.

Proprietary Interest.

Submitted herewith is an ASSIGNMENT AND AGREEMENT that demonstrates Cosco Management, Inc. is has obtained the patent rights to the present invention or has sufficient proprietary interest justifying the above-requested waiver. The assignment and agreement is between Dorel Juvenile Group (DJG), Cosco Management, Inc. (Cosco, which is an affiliate of DJG), and New-Tec Integration Company, Ltd. (NTICO). NTICO has rights to the invention by virtue of Mr. Leng's employment at NTICO (employed at the time of the invention up to and including the present).

Proof That the Inventor Refuses to Sign the Declaration.

A copy of the above-identified application and a declaration for his signature were forwarded to inventor Lu Hoa Leng prior to November 2004. Despite several follow-up inquiries, the declaration was not signed and returned as requested. In November of 2004 Mr. Nathan Heisey (an employee of Cosco) traveled to China and met with Mr. Martin Yang. Mr. Yang speaks English and Mr. Heisey was informed that Mr. Yang was speaking on behalf of Mr. Leng. Mr. Yang told Mr. Heisey that Mr. Leng refused to sign the declaration for the present application. A declaration signed by Nathan Heisey confirming this conversation is being prepared and will be submitted to the U.S. Patent and Trademark Office (USPTO) shortly as a supplement to this petition.

Proof of Irreparable Damage.

The undersigned counsel states that this application is necessary to preserve the patent rights of the owner of the present application and to prevent irreparable damage in that loss of these valuable patent rights to this invention will occur if status under 37 CFR 1.47(b) is not accorded to this application.

Last Known Address for the Inventor.

The last known address for Lu Hao Leng is  
Room 312, No. 170, Danue Road  
Siming District  
Xiamen City, Fujian Province 361003  
China

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U.S. Application No. 10/824,215

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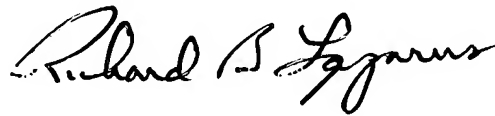
A check in the amount of \$1,890 for the petition fee prescribed at 37 CFR 1.17(h), the late declaration fee and for a four-month extension of time is enclosed. If additional fees are due, or if there is an overpayment, additional fees may be charged, or any overpayment in fees may be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (20341-73747).

If there are any further issues that need clarification or correction please telephone the undersigned.

A decision granting applicant's petition under 37 CFR 1.47(b) is requested.

Respectfully submitted,

BARNES & THORNBURG

A handwritten signature in black ink, appearing to read "Richard B. Lazarus". The signature is fluid and cursive, with the first name "Richard" and last name "Lazarus" being clearly legible.

Richard B. Lazarus  
Reg. No. 48,215  
Tel. No. (202) 289-1313